

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

MONUMENT PEAK VENTURES, LLC,

Plaintiff,

v.

BLU PRODUCTS, INC.,

Defendant.

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2:23-cv-00169-JRG-RSP

JURY TRIAL DEMANDED

PLAINTIFF’S UNOPPOSED MOTION TO EXTEND RESPONSE DEADLINE

Plaintiff Monument Peak Ventures, LLC (“Plaintiff” or “MPV”) hereby moves to extend its deadline to respond to Defendant BLU Products, Inc.’s (“Defendant” or “BLU”) Motion to Dismiss for Improper Venue or, in the Alternative, to Transfer [Dkt. 7] for fourteen (14) days from the current deadline, or until July 31, 2023.

I. INTRODUCTION

1. On May 12, 2023, BLU filed its Motion to Dismiss for Improper Venue or, in the Alternative, to Transfer (“Defendant’s Motion”) [Dkt. 7] in response to Plaintiff’s Original Complaint for Patent Infringement [Dkt. 1] seeking to transfer this lawsuit to the Southern District of Florida.

2. On June 5, 2023, the Court granted Plaintiff’s Unopposed Motion to Extend Response Deadline and for Venue Discovery [Dkt. 10], extending the original submission deadline for Plaintiff to file a Response to Defendant’s Motion from June 2, 2023 to July 17, 2023.

3. On June 7, 2023, Plaintiff served its first set of Venue Discovery Requests (“Plaintiff’s Discovery Requests”) on Defendant. Per agreement of the Parties, Defendant is still in the process of locating and producing documents responsive to these requests.

4. Additionally, Plaintiff is scheduled to take the deposition of Defendant's corporate representative on July 21, 2023.

II. MOTION TO EXTEND RESPONSE DEADLINE

1. Plaintiff respectfully requests additional time to file its response so that it may conduct its venue discovery including deposing its corporate representative and review of Defendant's responses to Plaintiff's Discovery Requests so that Plaintiff may properly respond to Defendant's Motion.

2. Defendant does not oppose this motion.

3. This motion is not presented for the purposes of delay, but rather so that justice may be done. No other deadlines will be affected by the extension of time sought.

III. CONCLUSION & PRAYER

For these reasons, Plaintiff Monument Peak Ventures, LLC asks this Court to grant its motion and extend the deadline to respond to Defendant's Motion to Dismiss for Improper Venue or, in the Alternative, to Transfer for fourteen (14) days from July 17, 2023 to July 31, 2023.

Dated: July 12, 2023

Respectfully submitted,

PLATT CHEEMA RICHMOND PLLC

/s/ Matthew C. Acosta

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**ATTORNEYS FOR PLAINTIFF
MONUMENT PEAK VENTURES, LLC**

CERTIFICATE OF CONFERENCE

The undersigned certifies that Plaintiff's counsel conferred with Defendant's counsel via electronic mail on July 10, 2023 and that Defendant's counsel does not oppose the relief requested herein.

/s/ Matthew C. Acosta

Matthew C. Acosta

CERTIFICATE OF SERVICE

The undersigned counsel for Plaintiff does hereby certify that the foregoing document was served on all counsel of record on July 12, 2023 by the Court's electronic filing notification system.

/s/ Matthew C. Acosta

Matthew C. Acosta